

REMARKS

Claims 1-6, 8-11, 33-35, 39-42, 54, and 55 are all the claims pending in the application.

Claim Rejections - 35 U.S.C. § 112

Claims 1-6, 8-11, 33-35, 39-42, 54, and 55 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant submits the following in traversal.

a) Applicant amends claim 1 to recite “when any two rows contained in said partial matrix H1 are selected, periods of the two rows are relatively prime, or when any two rows contained in said partial matrix H1 are selected, the periods of the two rows are identical and phases are different” merely for clarification purposes and is not intended to narrow the scope of these claims. The Examiner asserts that “relatively prime, or identical” exhaust all possibilities, that is the periods can be any rate (see page 2 of the current Office Action). Applicant disagrees for at least the following reasons.

The expression “relatively prime” suggests that the GCM (greatest common measure) =

1. For example, two periods 2 and 3 are relatively prime because the GCM of the two periods is 1.
1. However, two periods 2 and 4 are not relatively prime (because the GCM = 2) and are not identical. Therefore, contrary to the Examiner’s assertions, the features of claim 1 do not exhaust all possibilities.

Applicant amends claims 6, 33, 34, 35, 54 and 55 similar to claim 1.

b) The Examiner contends that the term “k” is not defined in claims 1, 6, 33, 34, 54 and 55. Applicant directs the Examiners attention to line 2 of claim 1, which defines “k” as “k columns”. Similarly, “k” is defined as “k columns” in claims 6, 33, 34, 54 and 55.

c) The Examiner contends that the term “n” is not defined in claim 35. Applicant directs the Examiners attention to line 2 of claim 35, which defines “n” as “n columns”.

In view of the above, Applicant respectfully requests the Examiner to withdraw the § 112, second paragraph, rejection of claims 1-6, 8-11, 33-35, 39-42 and 54-55.

Claim Rejections - 35 U.S.C. § 101

Claim 35 is rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicant amends claim 35 to recite “[a] computer-readable storage medium storing a parity check matrix generation computer program for generating parity check matrix H of m rows and n columns in low-density parity-check code, said parity check matrix generation computer program causing a computer to execute processes of...”. Applicant submits that claim 35 complies with § 101 and requests the Examiner to withdraw the above rejection.

Allowable Subject Matter

Claims 1, 6, 33, 34, 35, 54, and 55 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth in this Office action. In view of the above response to the rejection of claims 1, 6, 33, 34, 35, 54 and 55 under § 112, second paragraph, Applicant respectfully submits that claims 1, 6, 33, 34, 54 and 56 are allowable.

Claims 2-5, 8-11 and 39-42, which depend from claims 1 or 6, are patentable at least by virtue of their dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

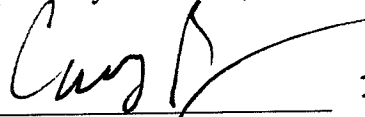
AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/586,541

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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